AP Wirephoto

GESSNER FREE — George John Gessner 29, free after five years imprisonment on conviction of giving nuclear weapons secrets to Russia, said yesterday after his release that he hopes "to return to college, if any college will have me."

Gave Reds Nuclear Secrets

Gessner Out Of Pen, Raps Delay In Justice

LEAVENWORTH, Kan. (AP) — George John Gessner drew his first free breath after five years in government custody and said: "Justice delayed is justice denied."

The 29-year-old former soldier showed no elation at his sudden and unexpected release from the U.S. penitentiary where he has been since his conviction June 4, 1964, of giving nuclear weapons secrets to the Soviet Union. He was the first convicted under the Atomic Energy Act.

An appeals court last year nullified Gessner's conviction and life sentence because it found his confession — basis of the government's case — was made involuntarily.

U.S. Atty. Newell George stood before the same three judges Tuesday and declared, "Without the confession we do not have sufficient evidence to go to trial." He filed a motion to dismiss charges against Gessner and a few hours later Gessner was free.

Asked why he had signed the confession, Gessner replied:

"Because of continued interrogation month after month and promise of total immunity."

"Of course, it was not true," he said.

"How can a man have plans when he has been locked up five years or better?" said Gessner when asked about his future. "I hope to return to college — if any college will have me." If he does go to school, he said, "It is not my intention to restrict my political opinions."

Gessner, a private first class, was a nuclear weapons specialist at Ft. Bliss, Tex., when he deserted Dec. 6, 1960, and went to Mexico City. The confession, introduced at his trial, said he met with officers of the Soviet Embassy on several occasions and gave them all he knew about mechanisms of atomic cannon. He was arrested in Panama City, Panama, March 23, 1961, and has been in custody since then — one year of it for desertion.

The confession, Gessner said, was obtained through coercion and fraud.

"A man tends to get justice in proportion to the thickness of his wallet and inversely to the power and prestige of the accuser," Gessner said.

Henry Baugher and children,